

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

In re:	)	Chapter 7
Leonard R. Gargas	)	Honorable Pamela Hollis
Debtors.	)	Case Number 16-38608

**NOTICE OF OBJECTION**

TO: ALL ECF REGISTRANTS

PLEASE TAKE NOTICE that the undersigned has filed the attached **OBJECTION TO TRUSTEE'S FINAL REPORT AND APPLICATIONS FOR COMPENSATION**, a copy of which is attached hereto.

/s/ Deborah K. Ebner  
Deborah K. Ebner, Trustee

Deborah K. Ebner (#6181615)  
Trustee of the Estate of Frank Santilli  
PO Box 929  
Glenview, Illinois 60025

**CERTIFICATE OF SERVICE**

I, DEBORAH K. EBNER, hereby certify that on December 13, 2018, I caused copies of this Notice along with the attached Motion to be served electronically to those registered to receive such notice for this case through the Court's ECF filing system., a copy of which is herewith served upon you.

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

In re:	)	Chapter 7
Leonard R. Gargas	)	Case No. 16-38608
	)	Honorable Pamela Hollis
Debtors.	)	

**OBJECTION TO TRUSTEE'S FINAL REPORT AND APPLICATIONS FOR  
COMPENSATION AND FOR OTHER CERTAIN RELIEF**

Now comes DEBORAH K. EBNER, not individually, but as Trustee of the Consolidated Chapter 7 Estates of Frank and Monica Santilli 16-14713, and Santilli Law Group, LLC 16-23920 and as and for her Objection to Trustee's Final Report and Applications for Compensation states as follows:

1. Debtor filed a Voluntary Petition for Relief (Petition) pursuant to the provisions of Chapter 7 of the United States Bankruptcy Code on **December 12, 2016**. Cindy Johnson, (Trustee) was appointed to serve as Trustee upon the filing of the Petition, and continues to serve as permanent Trustee.

2. The schedules of the Debtor list Frank Santilli, 111 West Washington Street #1500, Chicago 60602 as a creditor of this estate.

3. On **May 24, 2017**, the Clerk of this Court issued a notice of bar date for the filing of claims to Frank Santilli at 111 West Washington Street Chicago, Illinois 60602. Trustee and her Counsel knew at that time, however, that Frank Santilli had filed a personal bankruptcy on **April 29, 2016**, that Ebner had been appointed Trustee of Frank's case, and as Trustee of Santilli's consolidated corporate case, that the mail forwarding process was problematic, and that it was not likely that Ebner would receive the notice of bar date in time to determine what the claim was, and to file same against

the captioned case. Notwithstanding that knowledge, the notice of bar date was not sent to Ebner.<sup>1</sup>

4. Ebner did not receive notice of the pendency of the captioned Chapter 7 case until approximately **December 4, 2018** when she received a copy of Trustee's Final Report and Applications for Compensation, both of which were mailed to Trustee's mailing address and not to the address of Frank Santilli. Accordingly, Trustee has not had an opportunity to prosecute a proof of claim against the captioned estate in a timely manner.

**WHEREFORE**, based upon the foregoing, Movant prays that this Court grant Movant sufficient time to prosecute a proof of claim to be classified as timely filed, to strike the Trustee's Final Report and Account and Applications for Compensation, and for such other relief that this Court deems just and proper.

/s/Deborah K. Ebner  
DEBORAH K. EBNER, Trustee

Deborah K. Ebner, Trustee (ARDC No. 6181615)  
PO BOX 929  
Glenview, Illinois 60025  
(312) 922-3838

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<sup>1</sup> Counsel for Debtor Frank Santilli was and continues to be Trustee's (Special) Counsel in this case, and Counsel for Santilli Law Group was Trustee Johnson at all relevant times. Accordingly, both Trustee and her counsel knew that Ebner was entitled to notice in this case.

# Exhibit A

# United States Bankruptcy Court

*Northern District of Illinois*

*Eastern Division*

*219 S Dearborn*

*7th Floor*

*Chicago, IL 60604*

In Re:

Leonard R Gargas  
23742 Plum Valley Drive  
Crete, IL 60417  
SSN: xxx-xx-5300 EIN: N.A.

Case No. 16-38608  
:  
Chapter : 7  
Judge : Pamela S. Hollis

Debtor's Attorney:  
David C. Nelson  
NLO Nelson Law Office  
53 West Jackson Boulevard  
Suite 430  
Chicago, IL 60604-3648

312 212-1977

Trustee:  
Cindy M. Johnson  
Johnson Legal Group, LLC  
140 S. Dearborn Street, Suite 1510  
Chicago, IL 60603

312-345-1306

## NOTICE FIXING TIME FOR FILING CLAIMS

To the Debtor(s), Creditors, and other Parties in Interest:

A petition under Chapter 7 of the U.S. Bankruptcy Code has been filed by (or against) the above-named debtor(s) on **December 7, 2016**.

1. **August 22, 2017** is fixed as the last day for the filing of claims by creditors other than governmental units.
2. **August 22, 2017** is fixed as the last day for the filing of claims by governmental units.

In order to have a claim allowed and share in any distribution from the estate, a creditor must file a claim, whether or not the creditor was included in the schedules filed by the debtor(s). Claims which are not filed on or before the date fixed as the last day for the filing of claims as specified in #1 and #2 above, will not be timely, except as otherwise provided by law.

**Attorneys must file this claim electronically via the CM/ECF system. Non-Attorneys may file in person or by mail at the Clerk of the Bankruptcy Court's address shown at the top of the form. A Proof of Claim form ("Official Form B 410") can be obtained at the United States Courts Web site: (<http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms.aspx>) or at any bankruptcy clerks office.**

For the Court,

Dated: May 22, 2017

Jeffrey P. Allsteadt, Clerk  
United States Bankruptcy Court

Exhibit A

**Certificate of Notice**  
 United States Bankruptcy Court  
 Northern District of Illinois

In re:  
 Leonard R Gargas  
 Debtor

Case No. 16-38608-PSH  
 Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0752-1

User: mrahmoun  
 Form ID: ntcftfc7

Page 1 of 2  
 Total Noticed: 31

Date Rcvd: May 22, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 24, 2017.

db  
 25155773 +Leonard R Gargas, 23742 Plum Valley Drive, Crete, IL 60417-1779  
 25155775 +Bank Of America, N.a, 4909 Savarese Cir, Tampa, FL 33634-2413  
 25155779 +Capital One / Carson, Attn: Bankruptcy Dept, Po Box 30258, Salt Lake City, UT 84130-0258  
 25155780 +Citibank, Citicorp Credit Svcs/Centralized Bankrup, Po Box 790040,  
 Saint Louis, MO 63179-0040  
 25155781 +Citibank / Sears, Citicorp Credit Services/Attn: Centraliz, Po Box 790040,  
 Saint Louis, MO 63179-0040  
 25155784 +Courtyard Professionals Office Cent, 7250 W College Drive, Unit #2NW,  
 Palos Heights, IL 60463-1498  
 25155785 +Elrabadi H. Naderh, 111 W. WASHINGTON STREET SUITE 1900, Elrabadi Law,  
 Chicago, IL 60602-2713  
 25155786 First Communications, LLC, Dept. 781115, Detroit, MI 48278-1115  
 25155787 +First Savings Bank Of, 13220 S Baltimore Ave, Chicago, IL 60633-1493  
 25155788 #+Frank A. Santilli, 111 W Washington St, Chicago, IL 60602-2706  
 +Heartland Bank Trust Company, c/o Collins Law Firm, 1770 North Park S #200,  
 Naperville, IL 60563-1245  
 25155791 +JSD Management, Inc., 1283 College Park Drive, Dover, DE 19904-8713  
 25155793 #+Lee Russell, 1082 Creekside Court, Wheeling, IL 60090-5418  
 25155797 +Ronald Gargas, 10224 Radcliffe Peak Ave, Las Vegas, NV 89166-7125  
 25155798 +Steve Sadowsky, P.O. Box 120, Lansing, IL 60438-0120  
 25155799 +Transnational Bankcard, 9550 W Higgins Rd, 8th Floor, Des Plaines, IL 60018-4958  
 25155801 +Wintrust Weath Management, 959 S. Waukegan Rd, Lake Forest, IL 60045-2654

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

tr  
 +EDI: QCMJOHNSON.COM May 23 2017 00:18:00 Cindy M. Johnson, Johnson Legal Group, LLC,  
 140 S. Dearborn Street, Suite 1510, Chicago, IL 60603-5214  
 25155774 +E-mail/Text: bankruptcy@capvs.com May 23 2017 00:43:44 Calvary Portfolio Services,  
 500 Summit Lake Ste 400, Valhalla, NY 10595-2322  
 25155776 +EDI: CHASE.COM May 23 2017 00:18:00 Chase, Attn: Correspondence Dept, Po Box 15298,  
 Wilmington, DE 19850-5298  
 25155777 +EDI: CHASE.COM May 23 2017 00:18:00 Chase Card, Attn: Correspondence, Po Box 15298,  
 Wilmington, DE 19850-5298  
 25155778 +EDI: CHASE.COM May 23 2017 00:18:00 Chase Card Services, Correspondence Dept,  
 Po Box 15278, Wilmington, DE 19850-5278  
 25155782 +EDI: DISCOVER.COM May 23 2017 00:18:00 Discover Financial, Po Box 3025,  
 New Albany, OH 43054-3025  
 25155789 E-mail/Text: rev.bankruptcy@illinois.gov May 23 2017 00:43:24  
 Illinois Department of Revenue, Bankruptcy Section, PO Box 64338, Chicago, IL 60664-0338  
 25155790 EDI: IRS.COM May 23 2017 00:18:00 Internal Revenue Service, P.O. Box 7346,  
 Philadelphia, PA 19101-7346  
 25162306 EDI: BL-BECKET.COM May 23 2017 00:18:00 Kohl's, c/o Becket and Lee LLP, PO Box 3001,  
 Malvern PA 19355-0701  
 25155792 +EDI: CBSKOHLS.COM May 23 2017 00:18:00 Kohls/Capital One, Po Box 3120,  
 Milwaukee, WI 53201-3120  
 25155795 EDI: PRA.COM May 23 2017 00:18:00 Portfolio Recovery Associates, LLC, P.O. Box 41067,  
 Norfolk, VA 23541  
 25155796 EDI: Q3G.COM May 23 2017 00:18:00 Quantum3 Group LLC, P.O. Box 788,  
 Kirkland, WA 98083-0788  
 25155800 +E-mail/Text: dono@s4b.bz May 23 2017 00:43:02 TREG Development LLC, 750 Center Road,  
 Frankfort, IL 60423-1600  
 25155783 EDI: ECAST.COM May 23 2017 00:18:00 eCAST Settlement Corporation, P.O. Box 29262,  
 New York, NY 10087-9262

TOTAL: 14

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

25155794 Loretta Gargas  
 aty\* +Cindy M. Johnson, Johnson Legal Group, LLC, 140 S. Dearborn Street, Suite 1510,  
 Chicago, IL 60603-5214  
 25162307\* eCAST Settlement Corporation, PO Box 29262, New York NY 10087-9262

TOTALS: 1, \* 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
 While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

District/off: 0752-1

User: mrahmoun  
Form ID: ntcftfc7

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Total Noticed: 31

Date Rcvd: May 22, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 24, 2017

Signature: /s/Joseph Speetjens

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 22, 2017 at the address(es) listed below:

Cindy M. Johnson on behalf of Trustee Cindy M. Johnson cmjtrustee@jnlegal.net,  
cjohnson@ecf.epiqsystems.com  
Cindy M. Johnson cmjtrustee@jnlegal.net, cjohnson@ecf.epiqsystems.com  
David C. Nelson on behalf of Debtor 1 Leonard R Gargas dcnelson@nelsonlawoffice.com,  
deanna.trejo@nelsonlawoffice.com;NLO6276706ECF@gmail.com  
Jordan Olejniczak on behalf of Creditor Heartland Bank jolejniczak@collinslaw.com  
Patrick S Layng USTPRegion11.ES.ECF@usdoj.gov  
Robert L Dawidiuk on behalf of Creditor Heartland Bank rdawidiuk@collinslaw.com  
TOTAL: 6